

1. Applicant thanks the Examiner for the Examiner's comments which have greatly assisted Applicant in responding.

2. 35 U.S.C. §112, second paragraph.

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(a) The Examiner rejected Claims 1, 8, 12, 20, 30, 36, 37, and 38 for reciting a limitation which includes does not have sufficient space. The Examiner requested clarification.

Applicant has made the appropriate amendment to the Claims.

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(b) The Examiner stated Claim 8 showed insufficient antecedent basis for a limitation in the claim.

Applicant has made the appropriate amendment to the Claims.

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(c) The Examiner stated that claim limitation of Claim 37 is confusing.

Applicant has made the appropriate amendment to the Claims.

20 (d) The Examiner stated that claim limitation of Claim 38 is unclear.

Applicant has made the appropriate amendment to the Claims.

Applicant is of the opinion that Claims 1, 8, 12, 20, 30, 36, 37, and 38 overcome the rejection under 35 U.S.C. §112, second paragraph. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection.

5    3.    **Claim Objections.**

(a) Claims 2, 9, 30, and 31 are objected to because of particular informalities. Appropriate correction is required.

10    Claims 2, 9, and 31 are canceled. Applicant did a search on Claim 30 and is of the opinion that Claim 30 did not have the same problem. Therefore, Applicant respectfully requests that if the Examiner still disagrees with Applicant, to please point out where.

15    (b) Claim 12 is objected to because of particular informalities. Appropriate correction is required.

Claim 12 has been appropriately amended.

Applicant is of the opinion that the Claims cited hereinabove overcome the objections.  
20    Applicant respectfully requests that the Examiner withdraw the objections.

4.    **35 U.S.C. §103(a).** The Examiner has rejected Claims 1-4 and 30-32 under 35 U.S.C. §103(a) as being unpatentable over Take (U.S. Patent No. 6,442,553) in view of Nemes (U.S. Patent No. 5,893,120).

Applicant respectfully disagrees.

Claim 1

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Amended Claim 1 appears as follows:

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1. (currently amended) A method of managing a database that includes a plurality of sections, each of the sections comprising a plurality of data records, the method comprising:

receiving a new data record and a key that is associated with the new data record;

identifying one of the sections based upon the associated key of the new data record;

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determining if said new data record fits in an unused space on said identified section has sufficient space to contain the new data record;

if said new data record fits in said unused space, then storing said new data record in said identified section;

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if a size of said new data record is greater than a size of said unused space, then ranking all data records on said identified section according to a ranking function;

sum sizes of said all data records below rank of said new data record;

if said sum is not greater than said size of said new data record, then ending process; and

if said sum is greater than said size of said new data record, then deleting  
one or more data records from the said identified section ~~if the identified section~~  
~~does not have sufficient space to contain the new data record;~~ and storing the said  
new data record in the identified section.

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Applicant respectfully points out to the Examiner that Applicant has further distinguished  
Claim 1 from the prior art of record by incorporating "deleting... according to the ranking  
function" of Claim 2 and the use of the rank and size of the data records in the identified  
section according to Figures 7 and 8 and according to the corresponding description of  
10 Figures 7 and 8 in the Specification.

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Applicant respectfully points out that Applicant disagrees with the Examiner that  
(emphasis added) "Nemes teaches deleting one or more records from the identified  
section if the identified section does not have sufficient space to contain the new  
record (col. 5, lines 16-34 and lines 53-57)." Applicant respectfully points out the in col.  
5, lines 16-34, Nemes discloses simply what deletion of records involves, not the case  
when such deletion occurs as in Claim 1. In lines 53-57, Nemes discloses "dynamic  
removal of expired records". Applicant respectfully points out that such disclosure does  
not teach or contemplate the limitations of amended Claim 1, for example, determining if  
20 the new data record fits in unused space, ranking all records and then summing up the  
sizes of those records with rank lower than the rank of the new record, and the  
subsequent use of that sum in determining if the new record fits in the identified section.

Applicant respectfully points out that none of the prior art of reference teaches, suggests or contemplates the claimed invention. Therefore, Applicant is of the opinion that Claim 1 and its dependent claims are in allowable condition. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

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Claim 30

Claim 30 has been similarly amended and Applicant is of the opinion that Claim 30 and its dependent claims are deemed in allowable condition. Accordingly, Applicant  
10 respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

5. 35 U.S.C. §103(a). The Examiner has rejected Claims 5-11 and 33-35 under 35 U.S.C. §103(a) as being unpatentable over Take and Nemes in view of Nguyen (U.S. Patent No. 5,809,494).

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Independent Claim 8 has been similarly amended. Therefore, in view of the amendment and discussion hereinabove, Applicant is of the opinion that Claim 8 and its dependent claims are deemed in allowable condition. Claim 33-35 are dependent on independent Claim 30, discussed hereinabove. Accordingly, Applicant respectfully  
20 requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

6. 35 U.S.C. §103(a). The Examiner has rejected Claims 12 and 14-29 under 35 U.S.C. §103(a) as being unpatentable over Nguyen and Take in view Nemes.

Independent Claims 12 and 20 has been similarly amended. Therefore, in view of the amendment and discussion hereinabove, Applicant is of the opinion that Claims 12 and 20 and the respective dependent claims are deemed in allowable condition. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection  
5 under 35 U.S.C. §103(a).

7. 35 U.S.C. §102(b). The Examiner has rejected Claims 36 and 37 under 35 U.S.C. §102(b) as being anticipated by Nguyen.

10 Independent Claims 36 and 37 has been similarly amended. Therefore, in view of the amendment and discussion hereinabove, Applicant is of the opinion that Claims 36 and 37 are deemed in allowable condition. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

15 8. 35 U.S.C. §103. The Examiner has rejected Claim 38 as being unpatentable over Nguyen in view Nemes.

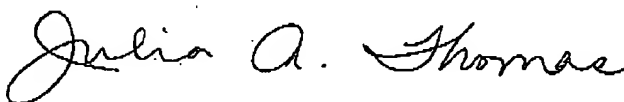
Applicant respectfully points out that that Examiner wrote this rejection in the section for 102 and did not specify under which code such rejection was made. Because the  
20 Examiner used the terms: "unpatentable over" and "in view of", for the purposes of this response, Applicant is assuming the rejection is a rejection under 35 U.S.C. §103(a).

9. It should be appreciated that Applicant has elected to amend and cancel Claims solely for the purpose of expediting the patent application process in a manner

consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such amendment and cancellations, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later  
5 point in time and merely seeks to pursue protection for the subject matter presented in this submission.

Respectfully Submitted,

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